

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars:

Rejection of claims 1-10 under 35 U.S.C. § 103(a)

Claims 1-10 presently stand rejected as obvious in view of Fann et al (US 5,385,374) in view of Wahlberg (US 3,677,593). This rejection is respectfully traversed for the following reasons.

Claim 1 has been amended to more particularly define the Applicant's invention in view of the prior art cited of record. Claim 1, as amended, describes a lock that includes an adaptor plate having two pegs projected from a side surface, and at least one leg projected from a peripheral edge of an opposite surface to define a space in which to accommodate door lock components. The leg of the adaptor plate abuts against a rose liner such that an assembled relationship between the pegs of the adaptor plate and positioning holes of a latch housing is insured.

Fann discloses a mounting plate having shafts projected from a side surface, and an annular wall projected from a peripheral wall of an opposite side surface. However, Fann does not, as the Examiner acknowledges, teach an adaptor plate including at least one leg. The Examiner states that Wahlberg teaches that "it is well known in the art to have an adaptor plate (22) that includes at least one leg (82) extending from the adaptor plate." However, this cannot be construed from Wahlberg because Wahlberg does not teach or suggest that the adaptor plate has "at least one leg projected from a peripheral edge of an opposite surface to define a space in which to accommodate door lock components." Instead, Wahlberg teaches that there may be provided "*spring members* [82] which are secured to the centering plates and project outwardly in a position to *yieldably* contain the backing plates [...]." (emphasis added).

Thus, while the presently claimed invention includes at least one leg "such that an assembled relationship between the pegs of the adaptor plate and the positioning holes of

the latch housing is ensured,” Wahlberg describes spring members said to provide yieldability between parts. Moreover, Wahlberg fails to show legs (or spring members) that are extended from a peripheral edge of an adaptor plate. Wahlberg’s spring members are illustrated mounted onto a surface of the centering plate, but are away from the edge.

Because neither Fann nor Wahlberg disclose, teach or suggest an adaptor plate having “at least one leg projected from a peripheral edge of an opposite surface to define a space in which to accommodate door lock components,” Fann and Wahlberg fail in combination to provide a *prima facie* basis for obviousness. It is respectfully submitted that Wahlberg’s spring members, mounted onto a surface of the centering plate away from an edge, can only be conceived as suggesting the legs of the present application with the benefit of hindsight in view of the teachings of the present application. Such a hindsight view of the cited references is an impermissible basis for combining of the references as suggested by the Examiner.

For at least these reasons, it is respectfully submitted that the amended claim 1 is allowable over Fann in view of Wahlberg. It is submitted that the dependant claims 2-10 are allowable for the same reasons at the very least, apart from their individual recitations of elements. Withdrawal of the rejection is respectfully requested.

Remaining art of record not relied upon to reject any claims

The amended claims have been compared with the remaining art cited by the Examiner and it is respectfully submitted that the claims are patentable over such prior art.

Conclusion

In view of the amendments to the claims, and in further view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 1-10 be allowed and the application be passed to issue.

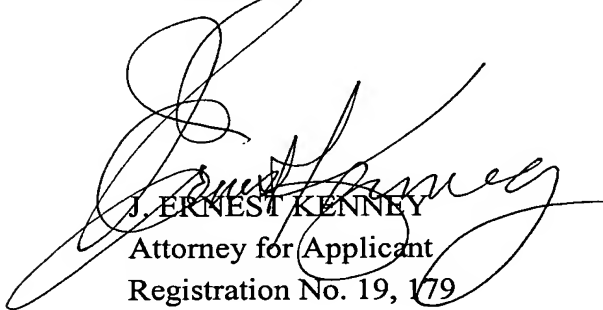
Application No.: 10/761,236
Examiner: Carlos LUGO
Art Unit: 3676

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's attorney, the Examiner is invited to contact the undersigned at the numbers shown.

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Respectfully submitted,



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